

REGULAR CITY COUNCIL MEETING

May 19, 2008

6:00 P.M.

Mayor Ronnie Torres called the Regular Meeting of the Belen City Council to order at 6:00 P.M.
Roll call taken by Sally G. Garley, City Manager.

PRESENT:

Ronnie Torres, Mayor
David Lopez, Mayor Pro-Tem
Rudy Jaramillo, Councilor
Terese Ulivarri, Councilor
Wayne Gallegos, Councilor

CITY STAFF:

Sally G. Garley, City Manager
Audrey Torres, Procurement Specialist
Mike Chavez, Police Chief
Julie Baca, Street Community Service Director

STUDENT LIASION:

Alexis Gutierrez

OTHERS:

Norman McDonald, P.A., City Attorney
Jackie Schlotfeldt, VCNB
Gilbert Tabet, Circle T
Chris Muirhead, Modrall Sperling Law Firm
Tom Greer, Rail Café
Diane & Helen Mattson, Our Tomorrow
Paul Ortega, Our Tomorrow
Jerry & Eva Martinez, Joe Marquez
Ami & Allen Wells, Site Counsel
Jerah R. Cordova, Our Tomorrow
Michelle Sanchez, Joe Marquez
John Archuleta, George K. Baum & Company
Juliette R. Benavidez, HT Jaramillo School
Jacquie Martinez, Molzen-Corbin & Associates

PLEDGE OF ALLEGIANCE:

Mayor Ronnie Torres asked Joe Marquez to lead the pledge of allegiance.

APPROVAL OF AGENDA:

Mayor Ronnie Torres requested approval of tonight's agenda. Councilor Rudy Jaramillo so moved to approve as amended. Councilor David Lopez seconds the motion, motion carried.

APPROVAL OF MINUTES:

Regular Meeting: May 5, 2008

Mayor Ronnie Torres requested approval of the minutes for May 5, 2008. Councilor Terese Ulivarri so moved to approve the minutes. Councilor Rudy Jaramillo second the motion, motion carried.

CITIZENS PETITIONS:

Mayor Ronnie Torres asked if there was anyone with a citizen petition, no further petitions were presented.

1. **Dianne Mattson:** said "a while ago the Mayor and City Manager taped a commitment affixing Delgado, the water sewer rerouting. I didn't know if the council is aware that you had taped that or not for Norm okay. What I came to find out is what the plan or design is for Delgado since Governor Richardson approved it when I went up there after the City Manger had asked me to go to Santa Fe, and I have now met with him three times and so I was hoping what the design is and send him a copy of it. **Mayor Ronnie Torres** advised that the design was not done yet. Diane asked if she would be able to get a copy and have the Governor see it.
2. **Jerah Cordova:** said "I am Jerah Cordova and I am speaking tonight on behalf of our Tomorrow for a better Belen. I have about four or five questions I would like to ask but before I do that I did not get the opportunity yet to thank you all for passing the resolution on support of the hospital a couple of council meetings ago. We don't know the outcome of that hearing. I would also like to get an update from you on weather or not you've looked into the possible violation of the sign regulations ordinance. I brought that up a couple of meetings ago along with pictures of billboards, (Mayor Torres nodded no), Jerah, you have not looked into that at all, okay. Do you have any time frame on that? **Mayor Ronnie Torres** said "actually no but now that you have reminded me I will take that to Andrew". Jerah Cordova continued "also I would like to have an update to weather or not be will see any amendments to the City of Belen's Economic Development Plan Ordinance as requested by the Attorney General". Mayor Ronnie Torres advised they were working on that and the City Attorney is in the process of preparing the paperwork. "Another question I know that I know had been mentioned a few council meetings ago that the Heart of Belen Project was going to be closed, has it been closed yet? Sally Garley City Manager advised she is meeting with the Engineers tomorrow to get all the documentation and it should close tomorrow. "Also the

Mayor Torres asked if there were any further citizen petitions, at this time there were no further citizen petitions presented.

PROCLAIM MAY 19, 2008 AS “JOE MARQUEZ DAY” IN BELEN: Mayor Ronnie Torres

Mayor Ronnie Torres read the next agenda item in reference to proclaiming May 19, 2008 as Joe Marquez Day in the City of Belen a copy of which is attached hereto and made an integral part of these minutes by reference. Mayor Ronnie Torres read the proclamation aloud and presented Mr. Marquez with the proclamation. Julie Benavidez said she had to tell a little white lie to get Mr. Marquez to the meeting so he was totally unaware that the award being given was not for the school but in reality it was for him. Mr. Marques was given a standing ovation. He introduced his children Jeramiah, Olivia and Sophia and his wife.

FINANCIAL PLANNING GROSS RECEIPTS TAX IMPLEMENTATION: John Archuleta & Chris Mierhead

Mayor Ronnie Torres read the next agenda item in reference to financial planning and Gross Receipts Tax Implementation as presented by Mr. John Archuleta and Chris Mierhead. Chris Mierhead of the Modrall Spierling Law Firm, handed out copies of a financing schedule and a draft ordinance. The ordinance, in terms of the financing, what this is, is a financing to primarily generate funds for renovations to the road coming into town. To fund those bonds what we have is a new increment of gross receipts tax. The legislature has added this new increment and the draft you have in front of you is the authorizing ordinance for June 16th that would impose that new increment of gross receipts tax and with those increased proceeds, gross receipts tax coming in, John is the underwriter on the deal and has run certain numbers to generate sufficient revenues to support bonds to do multiple capital improvements in the community. Also with that is a draft financing schedule. The ordinance would approve a quarter cent gross receipts tax. If the ordinance is adopted on June 16 it will become effective January 1, 2009. Assuming all goes fine there would be a bond ordinance on June 30 which authorizes the issuance of the bonds and that transaction would close August 15 so the bonds proceeds would be available the first week of August for these various projects. Mr. Mierhead asked if there were any questions.

PUBLIC HEARING ON A REQUEST FOR A NEW RESTAURANT LIQUOR LICENSE APPLICATION #A-538279 (BEER AND WINE ON-PREMISE CONSUMPTION ONLY). APPLICATION MADE BY RAIL CAFÉ PARTNERS, LLC, DOING BUSINESS AS RAIL CAFÉ TO BE LOCATED AT 202 DESOTO AVENUE, BELEN, NEW MEXICO 87002: Sally G. Garley, City Manager

Mayor Ronnie Torres read the next agenda item and opened the public hearing on a request for a new restaurant liquor license application #A-538279 (beer and wine on-premise consumption only). Application made by Rail Café Partners, LLC. Doing business as Rail Cafe to be located at 202 DeSoto Avenue, Belen, New Mexico, 87002 and advised that the public hearing was for comments or questions, now is the time to ask so they can be noted. Mayor Ronnie Torres asked if there were any questions or comments from the audience, any questions from Council. It is noted there were no questions. Mayor Ronnie Torres closed the public hearing.

ACTION ITEMS

APPROVAL OR DENIAL OF A REQUEST FOR A NEW RESTAURANT LIQUOR LICENSE APPLICATION #A-538279 (BEER AND WINE ON-PREMISE CONSUMPTION ONLY). APPLICATION MADE BY RAIL CAFÉ PARTNERS, LLC, DOING BUSINESS AS RAIL CAFÉ TO BE LOCATED AT 202 DESOTO AVENUE, BELEN, NEW MEXICO 87002: Sally G. Garley, City Manager

Mayor Ronnie Torres read the next agenda item on approval or denial of a request for a new restaurant liquor license application #A-538279 (beer and wine on-premise consumption only). Application made by Rail Café Partners, LLC. Doing business as Rail Cafe to be located at 202 DeSoto Avenue, Belen, New Mexico, 87002 and advised that the public hearing was for comments or questions, now is the time to ask so they can be noted. Mayor Ronnie Torres asked if there were any questions or comments. Councilor Terese Ulivarri asked if there are not questions or comments she so moves to approve. Councilor Wayne Gallegos seconds the motion, motion carried.

Tom Greer said “I am the person of record for the Beer and wine license. I think as you all know we have a Christian based restaurant over there that’s family oriented that caters families and a lot of our cliental are seniors. We get some rail traffic and hopefully with our new ice cream truck, which you will see this weekend, the truck has a stationary kiosk in there we are going to try to make Belen a destination for the two dollar all day ride pass for mom with kids riding free on the Rail Runner five trains on Saturdays to see if we can get those families to come from everywhere, Bernalillo and those kinds of places as a destination to Belen, hopefully we can get them to the Harvey House and Anna Becker Park and some other things for them to spend the day down here. The idea of the whole thing, and we started ten months ago, just to let you know that it should be easier than that, its one of those things I think we need to address at some point. There have been, to my count and probably a few more than six restaurants that have opened and closed since we opened, not necessarily waiting for beer and wine licenses but just simply not being able to make it through the struggle of getting started off and it was very difficult for us

when we served, I think councilman Rudy, for our six week to test the fine dining concept of this thing and it was difficult to get a broad base of cliental to come when you had to drink a diet Pepsi with a filet mignon. It should be illegal. We are hoping on Saturday to do burgers beer and bratwurst and to start up the dinner menu again in several months as a private, not to be exclusive, anyone can belong to it, but it will be an online menu, you can RSVP online and you can order. This will give us a little bit better control of what the amount of food we have to prepare and it will also give us an opportunity to offer Belen some very interesting and exciting opportunities for white linen fine dining at a price people can afford to pay in Belen. By the savings of food and knowing how many people are coming and what they are doing, I think will accommodate for us so we are excited about it and we thank you for granting us this.

INFORMATIONAL ITEMS:

CITY MANAGERS REPORT:

City Managers report is attached hereto and made an integral part of these minutes by reference.

COMMUNICATIONS FROM CITY COUNCIL:

Councilor David Lopez: Saturday had meetings for the head start program and went over budgets and documents that had to go to Santa Fe to file for non profit corporation. It was scary with inflation and the price of fuel that we have to put more money into the budget to keep it operating, that is scary because the additional funding is not coming in so we have to come up with more creative ways to spend it. Workshop on the 22nd to go over the same thing for the City, graduation tomorrow and another year has gone. Just like to mention that BoBo Sedillo passed away if you can keep his family in your prayers it would be appreciated.

Councilor Terese Ulivarri: attended one meeting which was the Martin Luther King meeting and went through the application for scholarship and awarded two five hundred dollar scholarships that will be announced soon. We are going to host the Valencia County Transportation Steering Committee at the library on Wednesday at 1:30. Tomorrow nights graduation.

Mayor Ronnie Torres: Mr. Roland Sanchez asked if they were going to tie in his driveway with the project so that the cars don't bottom out. Saturday he was at the airport ribbon cutting for the pilots lounge it is a nice building. Pilots can fly from different areas and have a lounge and shower, it is a nice addition. The funding was \$200,000 and we had a small match on that. The building for the equipment is also done. Mr. Tom Baca state aviation director was excited to do the ribbon cutting on this and said he had a couple more to come. Mayor Torres handed out a pamphlet on what is happening in Belen and it will go out to the public. This was a coordinated effort with the City, Economic Development and the Chamber. A copy of the pamphlet is attached hereto and made an integral part of these minutes by reference.

Councilor Wayne Gallegos: he was surprised to see the Masonic Lodge was for sale. It was nice to see Joe Marquez get the proclamation and it was kept a secret from here. He attended a mulching class for the city and it was about composting. They have used some of the mulching for Eagle Park, more training will teach employees how to make socks/tubing for control of runoff. It was helpful it was not answer to everything but it was helpful on a recycling on what the city is already doing. The Hub City Fest went nice and was well attended. The new fire truck is in it is not complete it still needs a lot of equipment but that was through a couple of grants of over \$200,000 worth. We are still waiting for the final part of FEMA money to come in we took a big hit with what we had to pay upfront.

Councilor Rudy Jaramillo: as mentioned graduation is tomorrow everything is going good with a lot of graduates, Infinity graduated Thursday or one day last week. Music fest was well attended and there was a car show going on at the Rail Café also. We as a city should look to bring the trains to Belen for the weekend if we could get them to bring people here somehow. Also please keep Ms. Sabrano in your prayers.

ADJOURNMENT:

Mayor Ronnie Torres asked for a motion to adjourn tonight's meeting.

Councilor Terese Ulivarri moved to adjourn this meeting. Councilor Wayne Gallegos seconds the motion, motion carried.

Ronnie Torres, Mayor

ATTEST:

Sally G. Garley, City Manager